

Application No. 09/101,341
Attorney's Docket No. 000500-128

18. A method of producing polysaccharide fibres according to claim 1, wherein the solvent dissolving the polysaccharide is water.

19. A method of producing polysaccharide fibres according to claim 1, wherein the bath is acidic.--

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the following remarks, are respectfully requested.

Claims 1-19 are currently pending in the application, Claims 16-19 having been added above.

By the above amendments, Claims 1-15 have been amended in response to the rejection under 35 U.S.C. §112, second paragraph, or to otherwise place them in better form for examination (and not in response to the prior art rejections). For example, the "characterized in that" or "characterized by" language has been replaced with "comprising" language in

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Claims 1, 2 and 13, and "wherein" language in Claims 3-11, 14 and 15, consistent with U.S. practice. Also, the "such as" phrase recited in Claim 15 has been deleted for clarity.

New Claims 16-19 have been added to point out further aspects of the invention. New Claim 16 is directed to the deleted subject matter of Claim 15. Support for new Claim 17 is in the Specification at least at page 5, lines 7-9, support for new Claim 18 is in the Specification at least at page 6, lines 9-10, and support for new Claim 19 is in the Specification at least at page 13, lines 18-19.

Turning to the Official Action, Claims 1-15 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The claims as now presented are believed to be in full compliance with §112, second paragraph.

The above-discussed claim amendments obviate in part the rejection. Regarding Claim 2, The Examiner states that that claim sets forth improper Markush terminology which renders the claim indefinite. Amended Claim 2 recites "stretching, rolling-up, drying and cutting the polysaccharide fibres" as further steps of the method of Claim 1. Markush terminology is not intended, and the claim as amended is not indefinite.

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In the only art rejection, Claims 1-15 stand rejected under 35 U.S.C. §103(a) as being obvious over European Patent Document No. 0 232 121 (EP '121) in view of U.S. Patent No. 4,197,371 (Holst et al). This rejection is respectfully traversed for at least the following reasons.

The present invention relates to a method for producing polysaccharide fibre (Specification at page 1, lines 7-9). According to one aspect of the present invention as set forth in amended Claim 1, a method for producing polysaccharide fibres comprises the steps of dissolving a polysaccharide in a solvent, and spraying the solution into a bath which contains a water-miscible organic solvent and a cross-linker.

EP '121 relates to water-absorbent materials useful in medical dressings (EP '121 at col. 1, lines 3-4). EP '121 discloses (a) dissolving a carboxylate ester of a polysaccharide which is water-soluble in its unesterified state in an organic solvent, (b) extruding the resulting solution, and (c) subjecting the fibres to conditions which cause hydrolysis of the ester groups in the polysaccharide carboxylate ester and cross-linking of hydroxyl groups so formed (EP '121 at col. 1, line 60 to col. 2, line 11). The

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cross-linked polysaccharide contains covalent chemical cross-links between hydroxyl groups (EP '121 at col. 1, lines 20-22).

EP '121 does not disclose or suggest each feature of the present invention. For example, EP '121 does not disclose or fully suggest a step of dissolving a polysaccharide in a solvent. Quite to the contrary, EP '121 discloses dissolving a carboxylate ester of a polysaccharide. Quite clearly, a carboxylate ester of a polysaccharide cannot properly be considered the same as the polysaccharide itself. While EP '121 does disclose a polysaccharide, EP '121 does not disclose or suggest dissolving such polysaccharide in a solvent, as set forth in the present invention. Rather, the polysaccharide disclosed in EP '121 is reacted with a monocarboxylic acid or anhydride or acid chloride thereof to form a carboxylate ester of a polysaccharide. It is this carboxylate ester of a polysaccharide which is subsequently dissolved in an organic solvent (EP '121 at col. 2, lines 17-20 and from col. 1, line 63 to col. 2, line 47).

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Hence, it should be clear that EP '121 is in no way suggestive of a step of dissolving a polysaccharide in a solvent, as in the present invention.

Moreover, Holst et al does not cure the deficiencies of EP '121. Holst et al relates to a sheet material of natural or synthetic rubber or of a rubber-like polymer, having an improved water vapor absorbing and transmitting capacity (Holst et al at col. 1, lines 8-12).

The Examiner relies on Holst et al to demonstrate that the attachment of compounds such as polyvinylamine to polysaccharides is well known in the art (Official Action, pages 3-4). However, even if EP '121 and Holst et al would have been combined in the manner suggested in the Official Action, the claimed method would not have been arrived at. Like EP '121, Holst et al does not disclose or suggest dissolving a polysaccharide in a solvent. Hence, the method resulting from the combination of EP '121 and Holst et al would clearly not include a step of dissolving a polysaccharide in a solvent.

For at least the above reasons, a prima facie case of obviousness has not been established. Therefore, withdrawal

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of the §103(a) rejection is respectfully requested for at least the above reasons.

Moreover, the dependent claims further distinguish the present invention over the applied documents. For example, new dependent Claim 17 recites that the cross-linker ionically cross-links the polysaccharide. Quite to the contrary, EP '121 discloses that the cross-linked polysaccharide contains covalent chemical cross-links between hydroxyl groups (EP '121 at col. 1, lines 17-25). In addition, whereas new Claim 18 recites that the solvent dissolving the polysaccharide is water, EP '121 discloses that the polysaccharide carboxylate ester is dissolved in an organic solvent, such as acetone (EP '121 at col. 3, lines 14-18). Further, while new Claim 19 discloses an acidic bath, EP '121 discloses that the aqueous medium is preferably alkaline (EP '121 from col. 3, line 64 to col. 4, line 1). Further, Holst et al cannot cure such additional deficiencies.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

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If the Examiner has any questions relating to this paper,
or the application in general, he is invited to telephone the
undersigned.

Respectfully submitted,

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